

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 04-14750

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
AUGUST 23, 2007
THOMAS K. KAHN
CLERK

D. C. Docket No. 03-80103 CV-DMM

T.A. WYNER,
GEORGE SIMON,

Plaintiffs-Appellees,

versus

MICHAEL W. SOLE, in his official capacity as Secretary,
Florida Department of Environmental Protection,
TERENCE COULLITTE, individually and in his official
capacity as Park Manager of John D. MacArthur Beach
State Park,

Defendant-Appellant,

Appeal from the United States District Court
for the Southern District of Florida

(August 23, 2007)

**ON REMAND FROM THE
UNITED STATES SUPREME COURT**

Before EDMONDSON, Chief Judge, BARKETT, Circuit Judge, and HUNT,*
District Judge.

PER CURIAM:

In the light of the Supreme Court's decision in this case, Sole v. Wyner,
127 S. Ct. 2188 (2007), we **VACATE** the district court's order awarding Plaintiffs
attorney's fees under 42 U.S.C. § 1988 and **REMAND** the case to the district
court for further proceedings in conformity with the Supreme Court's ruling.

SO ORDERED.

* Honorable Willis B. Hunt, Jr., United States District Judge for the Northern District of Georgia,
sitting by designation.